

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 05-12 Erie
	)	Civil Action No. 07-24 Erie
SHAUN LANAIL BENNAFIELD	)	

**GOVERNMENT'S MOTION FOR EXTENSION OF TIME TO  
FILE RESPONSE TO PETITIONER'S MOTION TO VACATE**

AND NOW comes the United States of America, by and through its counsel, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Marshall J. Piccinini, Assistant United States Attorney for said district, and states as follows:

1. On February 14, 2007, Petitioner filed a Motion to Vacate under 28 U.S.C. § 2255 (Document No. 35).

2. This Court issued an Order on March 1, 2007, directing that the Government respond to Petitioner's Motion to Vacate by April 2, 2007.

3. On March 19, 2007, however, Petitioner filed a Motion to Amend 28 U.S.C. § 2255 Pursuant to Rule 15(a) of the Fed.R.Civ.P. (Document No. 40).

4. This Court granted Petitioner's Motion to Amend on March 20, 2007. This Court's Order also directed the Government to respond to the additional issue raised by Petitioner by including its response in the response to the original Motion to Vacate, due April 2, 2007.

5. The Government submits that it needs more time to respond to the additional argument raised by Petitioner in his Motion to Amend.

WHEREFORE, the Government respectfully requests an additional two weeks, until April 16, 2007, to respond to Petitioner's Motion to Vacate as amended.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

/s/ Marshall J. Piccinini  
MARSHALL J. PICCININI  
Assistant U.S. Attorney  
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